

**BEFORE THE
Federal Communications Commission
Washington, D.C.**

In the Matter of	)	
	)	
Delete, Delete, Delete	)	GN Docket No. 25-133
	)	
	)	
	)	
	)	

Comments of
Thomas A. Schatz
President
Citizens Against Government Waste
On
Delete, Delete, Delete

April 11, 2025

Citizens Against Government Waste (CAGW) is a private, nonprofit, nonpartisan organization dedicated to educating the American public about waste, fraud, abuse, mismanagement, and inefficiency in government. On behalf of the more than 1.2 million members and supporters of CAGW, I offer the following comments and recommendations regarding the Delete, Delete, Delete proceeding (GN Docket No. 25-133).

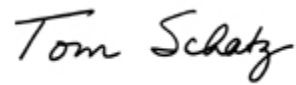
According to the 2024 edition of the Competitive Enterprise Institute’s *10,000 Commandments*, the third year of the Biden Administration “concluded with 26,286 pages devoted to final rules, the fourth-highest on record and a 21 percent increase over 202. Final-rule page bulk is up 26 percent over 5 years and 6 percent over 10 years.”¹ Regulations often impose onerous or outdated rules and restrictions on businesses and consumers leading to a decline in investments. With the efforts underway at the White House to reduce government spending and

¹ Clyde Wayne Crews, Jr., “Ten Thousand Commandments: Sizing up the Federal Government’s New Rules and Regulations,” Competitive Enterprise Institute, 2024 Edition, https://cei.org/wp-content/uploads/2024/07/10K_2024_v5_for_Rich_1.pdf.

help rebuild the economy, there is no better time to initiate this top-down review of FCC regulations. I am attaching a list of regulations and notices of inquiries that CAGW suggests should be rescinded or closed.

Should you have any questions, please contact either myself or CAGW Vice President for Policy and Government Affairs and Executive Director of the Technology and Innovation Policy Center at CAGW, Deborah Collier.

Sincerely,

A handwritten signature in black ink that reads "Tom Schatz". The signature is written in a cursive, slightly slanted style.

DOCKET	STATUS	JUSTIFICATION	LINKS
Promoting Consumer Choice and Wireless Competition Through Handset Unlocking Requirements FCC 24-77; WT Docket No. 24-186	Rule; Further Notice of Proposed Rulemaking	The NPRM as currently proposed is unnecessary and should be closed. Limitations on cell phone unblocking exist solely due to merger conditions created by the FCC for select mobile providers, and the wireless industry has adopted reasonable standards for unblocking. Consumers can choose to purchase unlocked devices either through a device manufacturer or on the secondary market. CAGW's comments on this proceeding can be found at https://www.cagw.org/legislative-affairs/agency-comments/cagw-submits-comments-fcc-cell-phone-unlocking .	https://docs.fcc.gov/public/attachments/DA-24-612A1.pdf
Empowering Broadband Consumers Through Transparency (Broadband Labels) FCC 22-86; CG Docket No. 22-2	Rule and Further Notice of Proposed Rulemaking	This rule requires broadband providers to offer in plain language to consumers a detailed analysis of their billing and service offerings. However, certain requirements are either unnecessary or unduly burdensome for providers. These include requirements forcing the provider to ensure that the new labels are to be published at the point of sale (in stores and on calls); be machine readable; have the entire label posted as part of the purchase flow instead of a link; include multiple languages; and include state and local government-imposed fees (which can vary by state and locality). The E-Rate services and business service should be carved out from the broadband label requirements, and the Further Notice of Proposed Rulemaking proceeding should be closed.	https://docs.fcc.gov/public/attachments/DA-25-252A1.pdf
Protecting the Nation's Communications System from Cybersecurity Threats (CALEA) FCC 25-9; PS Docket No. 22-329	Declarative Ruling and Notice of Proposed Rulemaking	This NPRM requires communications providers to take immediate action to strengthen communications network security by imposing new cybersecurity requirements, including creating and implementing cybersecurity and supply chain risk management plans; submitting annual certifications confirming these plans are in place and they are following them; and demonstrating how the providers are protecting their networks and systems from security threats. As noted by as to the parameters set by CALEA, Jeffrey Westling of the American Action Forum, "The	https://docs.fcc.gov/public/attachments/FCC-25-9A1.pdf https://www.americanactionforum.org/insight/fcc-may-be-overstepping-on-cybersecurity/

		declaratory ruling goes beyond these bounds and instead states that CALEA gives the FCC broad authority to manage the cybersecurity practices of telecommunications writ large, and not just the systems or the switching premises covered in CALEA.” This NPRM was adopted without congressional authorization or approval and may exceed the FCC's authority. It sets an expansive precedent of power that could be extended to other providers like broadcast television and satellite broadband providers.	
Data Caps in Consumer Broadband Plans WC Docket No. 23-199	Notice of Inquiry	This NOI should be closed. As noted in comments filed by the Free State Foundation, restrictions on data caps are tantamount to rate setting/regulation on telecommunications services. Caps on broadband plans would restrict offerings from providers and consumer choice. As noted by the International Center for Law & Economics, "banning data caps and regulating usage-based pricing would be an overly restrictive and heavy-handed approach" ... "usage-based pricing provides more options for consumers than flat-rate pricing and can generate additional revenue to fund network improvements and expansion." These are ample reasons for the NOI to be revoked.	https://docs.fcc.gov/public/attachments/FCC-24-106A2.pdf https://freestatefoundation.org/wp-content/uploads/2024/12/FSF-Reply-Comments-%E2%80%93-Data-Caps-in-Consumer-Broadband-Plans-120224.pdf https://laweconcenter.org/resources/the-economics-of-broadband-data-caps-and-usage-based-pricing/
E-Rate Support for Wi-Fi Hotspots FCC 24-76	Rule	This rule expanded E-Rate subsidies to include Wi-Fi hotspots in school buses and other off-campus locations. According to a Funds for Learning article, the cost to equip a school bus with Wi-Fi hardware, licensing, and maintenance can cost between \$2,500 and \$4,000 per bus and \$400 to \$600 annually for mobile broadband services. There is a pending lawsuit from two parents who operate the anti-bullying organization David's Legacy Foundation to reverse this rule. Their complaints include that the rule is "enabling unsupervised social media access by children and teenagers." FCC Commissioner Nathan Simington noted in his dissent to the rule that "anyone who has ever ridden a school bus should be skeptical that any significant portion of children will sit quietly and do homework on their	https://docs.fcc.gov/public/attachments/FCC-23-84A1.pdf https://docs.fcc.gov/public/attachments/FCC-23-84A5.pdf https://www.fundsforlearning.com/news/2023/12/stakeholders-support-bus-wi-fi/#:~:text=Average%20costs%20%E2%80%93%20while%20the%20FCC's,Wi%2DFi%20enabled%20school%20buses https://www.emergingtechbrew.com/stories/2024/04/25/fcc-school-bus-wi-fi-controversy

		laptops instead of socializing with their friends on the bus and browsing social media on their phones." The rule should be rescinded.	
Broadcast Ownership Rules, Joint Sales Agreements, and Shared Services Agreements, and Incubator Program MB Docket Nos. 14-50, 09-182, 07-294, 04-256, and 17-289	Rule	The media ownership rules were created in 1975 to block ownership of both newspaper and broadcast services by one organization in a media market. The Supreme Court upheld the FCC's determination of certain rules to be eliminated in <i>FCC vs. Prometheus Radio Project</i> , but the FCC continues to have an obligation to review these rules and determine whether they are still applicable considering a competitive and changing media marketplace that now includes not only broadcast stations but also streaming broadcasts that are available on multiple devices.	https://www.cagw.org/thewastewater/media-ownership-rules-dont-make-sense-todays-marketplace https://www.supremecourt.gov/opinions/20pdf/19-1231_i425.pdf
Data Breach Reporting Requirements FCC 23-111; WC Docket No. 22-21	Rule	FCC-23-111 expands the reporting requirements of data breaches beyond Customer Proprietary Network Information (CPNI) to include data breaches that involve personally identifiable information (PII). In 2016, the FCC adopted a Privacy NPRM that was similar in scope to this proceeding (FCC 23-111). Congress overturned the Privacy rule in 2017 through a Congressional Review Act vote. When FCC 23-111 was adopted by the FCC on a 3-2 vote margin, Commissioners Carr and Simington protested the rule due to its similarity to the Privacy Rule previously vacated by Congress, which makes it vulnerable to being overturned in court. For these reasons, the Rule should be revoked.	https://docs.fcc.gov/public/attachments/FCC-23-111A1.pdf https://docs.fcc.gov/public/attachments/FCC-23-111A3.pdf https://docs.fcc.gov/public/attachments/FCC-23-111A5.pdf https://www.cagw.org/legislative-affairs/agency-comments/reply-comments-regarding-fccs-privacy-rules